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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.1213 OF 2014

Manohar M. Bhatia & Ors.

...Petitioners

V/s.

Gopal M.Bhatia & Ors.

...Respondents

Mr.Mayur Khandeparkar with Mr.Girish Thakur for the Petitioners.

Mr.Chaitanya Chavan i/b Mr.Dinesh Rane for the Respondent No.1.

CORAM : R.D. DHANUKA, J.

DATE : 22ND SEPTEMBER, 2015.

P.C. :-

1. Learned counsel appearing for the respondent no.1 states that without prejudice to the rights and contentions of his client, respondent no.1 has no objection if the petition is made absolute in terms of prayer clause (a). He however, submits that the arbitral proceedings shall be disposed of expeditiously. The statement is accepted.

2. By consent of parties, Dr.Birendra Saraf, advocate is appointed as the sole arbitrator. The petitioners have agreed to file the statement of claim along with documents before the learned arbitrator within four weeks from today. The written statement and counter claim shall be filed within four weeks from the date of service

of statement of claim along with the documents. Reply to the counter claim, if any, shall be filed within two weeks from the date of service of the written statement and counter claim.

3. The learned arbitrator shall make an endeavor to dispose of the arbitral proceedings within six months from the date of the first meeting. Both parties have agreed that they shall co-operate with each other and with the learned arbitrator in expeditious disposal of the arbitral proceedings.

4. If any counter claim is made by the respondent no.1, the same shall be disposed by the learned arbitrator in accordance with law and on its own merits.

5. It is made clear that if for any reason the arbitral proceedings are not disposed of within six months from the date of the first meeting, the respondent no.1 shall be at liberty to apply for withdrawal of the statement made before this Court today by filing application under section 17. The petitioners in that event would also be at liberty to apply for interim measures in the petition under section 17 of the Arbitration Act before the learned arbitrator.

6. The arbitration petition is disposed of in aforesaid terms. No order as to costs.

(R.D. DHANUKA, J.)

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“Certified to be true and correct copy of original signed order.”